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OVERALL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF AGENDA 21

Letter dated 9 April 1997 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I have the honour to submit the text of a document from Under-Secretary of State for Global Affairs Timothy Wirth to be part of the official documentation at the special session of the General Assembly on sustainable development, to be held from 23 to 27 June 1997 (see annex). The document is the outcome of the National Councils for Sustainable Development working group at the recent Rio+5 meeting in Brazil. The strong vision and potential of the National Councils are clearly reflected in the report.

Given the importance of the report, and its relevance to sustainable development, I request that the text of the report be circulated to all Members of the United Nations.

(Signed) Bill RICHARDSON

* A/S-19/1 (to be issued).

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Annex

NATIONAL COUNCILS FOR SUSTAINABLE DEVELOPMENT

MAKING SUSTAINABLE DEVELOPMENT WORK: A Vision and Practical Measures for National Councils as Effective Mechanisms for Sustainable Development

Rio de Janeiro, RIO+5, 19 March 1997

DRAFT 3

National Councils For Sustainable Development are an important mechanism for bringing together the groups within society, overcoming the conflicts among differing interests, promoting policies and measures, and catalyzing actions that integrate economy, environment and social justice. We urge that governments create and support high level, multi-stakeholder National Councils for Sustainable Development. We recommend that NCSDs take an active role proposing policies and identifying barriers to sustainable development, supporting local action and building alliances for private action, educating, and promoting participation. Finally, we recommend that multi-lateral institutions -- the World Bank, UNDP, the UNCSD, UNEP, the regional banks among others -- involve, rely upon and support NCSDs as an essential mechanism to foster sustainable development and engage civil society and the private sector.

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I Introduction

1. Chapters 8 and 38 of Agenda 21 recommend the establishment of National Councils for Sustainable Development, NCSDs[1], to allow for the implementation of sustainable development strategies and policies. Since 1992 a number of countries have established NCSDs, or other coordination mechanisms, but the success of these mechanisms in integrating sustainable development into decision-making varies from country to country depending on their mandate, composition and character - some NCSDs focus only on environmental issues, while others are government coordinating bodies without broad representation from other sectors.

2. Representatives of many of these NCSDs and other participants at the Rio + 5 event agreed upon a clear vision of the role and character of NCSDs as multi-sectoral catalysts for policies that integrate economic, environmental and social goals across sectors and agencies. **This vision is built upon the understanding that sustainable development is everybody's concern, and making it work requires everybody's engagement.** Providing the opportunity for current and

[1] In this paper, we utilize the term National Councils for Sustainable Development (NCSDs) as an equivalent for all coordination mechanisms/ commissions/ bodies for sustainable development.

future generations to live better lives requires economic, environmental and social changes – immediate action based on a long term vision – changes driven by global concerns, but contingent on local action.

3. Sustainable development is government's core concern, but must not be only government's concern, and citizens should not believe that they can simply wait for change and blame government if it does not come. At the close of the Twentieth Century it is the interaction and engagement of all of the sectors in society that creates change. Government, industry, NGO's, labor and communities all are concerned because it is the way a society lives, the way that it produces and consumes that determines whether it is sustainable. The outcome of a society's efforts to achieve sustainability depend on the choices that individuals and institutions make, and progress depends upon broad social agreement about the goals and process of change.

4. Every country is different, and each country's approach to sustainable development must depend on the different political, social, economic, historical and cultural circumstances of that country. Nevertheless, there is a universal need to find policies that recognize the interrelation between prosperity, environment, and fairness, particularly when the divisions within society that hinder such policies are endemic. We are convinced that an NCSD can make an important contribution to the creation of appropriate polices and the promotion of effective action for sustainability in every country, and that there are certain general principles that should guide the creation and operation of NCSDs. These guiding principles can then be adapted nationally within circumstances that vary from country to country. The work can also be done collectively at the regional level within their respective contexts. **Finding guiding principles for national and regional sustainable development coordination mechanisms is a crucial outcome of the Rio+5 meeting.** These proposals will guide the evolution of existing NCSDs, and help the countries which have not yet established such councils to start the process of establishing one.

II The structure and composition of National Councils for Sustainable Development

1. The first principle is inclusion of the widest possible representation of the major players in both the public and private sector. To integrate goals and policies and catalyze action inside and outside of government, the NCSD must integrate society's stakeholders in its membership. Thus, NCSDs should not be composed of members from government alone, because government by itself cannot make sustainable development happen without effective social participation. Nor can an NCSD be fully effective if its membership is limited to non-government members because that will diminish its ability to ensure that government heeds the council's advice and implements it's recommendations. The ongoing interaction between government and other stakeholders is essential.

2 A multi stakeholder process must reflect the society at large. In addition to the government and para-governmental institutions, the NCSD should have the representation of all major groups as

defined by Agenda 21: women, children and youth, trade unions, business and industry, local authorities, farmers, science and technology, indigenous people, and non-governmental organizations. Media and education sectors should also be involved. Depending on the political structure, some countries may profit from involving members of national and local parliaments in their NCSD. In those cases where a committee within the parliament is already addressing sustainable development, such a committee should be represented on the NCSD.

3. From the governmental side, an ideal structure should allow for a cross-sectoral approach with all Ministers concerned, such as the environment, economy and finance, development cooperation, planning, transportation, agriculture, trade and industry, education, research and development, health, etc.

4. In different countries, three kinds of NCSD structures can be found: (i) strictly governmental; (ii) non-governmental; and (iii) mixed. The first is considered to be insufficient to address all aspects of sustainable development, even when the government consults with civil society. The second structure is also ineffective if such a council is not involved in proposal and evaluation processes with the government. The third type of structure may be the most effective in addressing complex sustainable development issues. But the conditions of the success depend on the following issues:

6. Problems should be addressed at the most **appropriate level** according to the subsidiarity principle in the following order of preference: at the 1) local; 2) regional (sub-national); 3) national; and 4) regional (extra-national) or global levels. In some cases, a regional context, including ecological boundaries (river basins, mountain regions, internal seas and internationally shared waters...), can also provide an effective way to focus council activities. In all these scales, multi stakeholder discussions are useful. A cooperation and exchange of experience between all these NCSDss at various levels appear to be an efficient way to operationalize sustainable development. Within the same principle of subsidiarity, problems should be addressed by the private sector (business and NGO); in joint partnership; and by governmental agencies.

7 The **members of the NCSDs** should represent various sectors of society. Their representation is a crucial question which has different forms:

(i) the members are chosen by the head of the executive office on an individual basis;
(ii) the members are elected or designated by their peers or constituencies; and
(iii) a combination of both.

8 None of these forms is perfect. Each has positive aspects and drawbacks. For example, executive-chosen members may enjoy greater freedom than peer-elected ones, but they can be disconnected from grassroots problems, and may not be effective in bringing their own sector along with ideas agreed to in the NCSD. On the other hand electing members may present practical difficulties. Some major groups are not organized or are too diverse to be able to elect a representative. The choice depends on local, social and political conditions. What is important is that the method of selection and the resulting membership preserves the integrity of the multi-stakeholder process and supports the goals of transparency, participation and representation.

9 Diversity of opinions is part of the success; members must adequately represent and reflect the opinions of the network or sector they represent. The success of the NCSDs also depends on the caliber and motivation of its members, Preferably, the members should be high-level decision-makers in their respective fields, though not necessarily technical experts.

10 . Success also depends on the organization of the work within the NCSD and the capability of the chairmanship to create a good working climate and to negotiate imaginative consensus solutions.

III The Role of NCSDs

1. As the voice for sustainability and the advocate of integrated policies, an NCSD must address questions of national purpose, and should provide a long-term vision, goals, and values that define and explain the concept of sustainability for their nation, society, and traditions. That vision must respond to national concerns, and to the global issues that affect all nations such as the alignment of trade and investment policies with sustainable development.

2. An NCSD should be a source of clear analysis about problems, and creative thinking about solutions, including such policy tools as economic incentives, expenditures, information disclosure, and regulation. An NCSD should also consider the role and responsibilities of the private sector and other parts of civil society. NCSDs are not a parallel process of government, and should not exercise executive or legislative authority, but rather should catalyze action by others.

3. An NCSD should be an effective, task-oriented advocate of integrated policies for sustainable development, both inside and outside of government. NCSDs should not only be part of a discussion process on values or objectives, they should be a forum where the major groups work together, not a mere "debating club", but a venue for cooperative action, and commitments to real implementation. Sustainable development is premised on the idea that prosperity, fairness and a healthy environment are interwoven strands of the single human dream of a better life in the future. An NCSD can be a powerful mechanism to introduce the idea of sustainability into the life and policies of a nation by fulfilling the following functions:

4. Integrate. Integration is most important. It begins with policy integration – the recognition that trade, fiscal, economic, energy, transport, infrastructure, agriculture, land use and social policies profoundly affect sustainability, and that good environmental policies can enhance prosperity. An NCSD should provide a forum in which goals are discussed and articulated; and policy is developed across the jurisdictional boundaries within government, and across the sectoral boundaries outside of government. It should provide a mechanism for collaboration regarding implementation among mainstream sectors, and between government and the major groups in society. Finally, since so much that affects sustainability is decided at the community level, but

the context and boundaries for local decisions are often determined by international commitments and national policies, an NCSD should provide a means to integrate policy and action among levels of government.

5. Promote Participation. The multi stakeholder membership of an NCSD represents a broader change that is necessary in society. An NCSD should both demonstrate and promote processes to engage the participation of all stakeholders in the development and implementation of policies for sustainability and should adopt the transparent practices that support participation.

6. Innovate. Integration requires innovation. Existing policies are usually sectoral, often responding to the narrow concerns of a limited constituency. An NCSD should be a source of creativity, long-term thinking and unorthodox solutions.

7. Demonstrate. Unorthodox ideas require proof. Sustainability is an interdisciplinary concept that needs to be made concrete. An NCSD can identify or create real demonstrations of sustainability in action: sustainable community management of natural resources, eco-industrial parks, action and education for sustainability in schools.

8. Educate and Communicate. Sustainability requires society-wide change, and an NCSD should be a voice for sustainability throughout society in disseminating information within government, industry, NGOs, schools, and communities; explaining what it means, why it is urgent, and how it is possible (main streaming sustainable development).

9. Monitor and Evaluate Progress. NCSDs should define milestones, assess and report progress on a regular basis in order to create powerful incentives for action.

10. Disseminate and promote tools for sustainable development practice. The NCSDs are the right place to propose, diffuse and evaluate tools that will be part of the governance of the XXIst century. Four kinds of tools are important:

    - creating sustainable development indicators;
    - promoting local Agendas 21;
    - identifying best practices and best technologies; and
    - developing multi stakeholder approaches.

11. Support Local Action. NCSDs need to interact with community efforts to create sustainability, and should help to create and support national networks of communities implementing local Agendas 21. NCSDs should identify national laws or policies that impede local sustainability and propose measures to support local action.

IV Key Issues

1. The role of an NCSD is broad and unconventional, and focussed on change. To establish its legitimacy an NCSD needs a clear mandate and an official legal status from the national leadership that clearly specifies its role and responsibilities, and explicitly authorizes its activities.

2. An NCSD needs the involvement of senior officials, but it also needs sufficient independence to propose ideas, raise issues, and create solutions that do not necessarily conform to preexisting government policies. Given such a mandate and access to top officials an NCSD can provide a unique source of creativity and support for leaders committed to sustainability. To succeed, NCSD members must rise above sectoral interests and seek solutions that cut across old conflicts.

3. An NCSD needs to be broadly focussed on sustainable development, and should not focus on a single issue. There is great value in the development of civil society committees to advise environment ministries, but such committees cannot effectively play the role of integrator or monitor of sustainability. Similarly, NCSDs should report to the head of state or government and not only to the minister of the environment.

4. The effectiveness, creativity, or credibility of NCSDs are inhibited if its agenda is dominated by one group such as government. The value of a multi stakeholder process depends on the engagement of the members, which requires that each member have a voice and equal influence.

5. An NCSD should serve as an independent voice, a catalyst, integrator and creative force, not an operating agency of government. It should propose and recommend, but not make or enforce laws, nor should it be responsible for adopting or implementing policies and projects.

6. NCSDs should have the financial, technical and human resources to guarantee effective operation.

7. An NCSD needs a vision and a common working understanding of what sustainable development is, but should avoid long technical debates seeking a precise definition. Defining a set of values and goals at the start is helpful.

8. In some countries newly created international environmental commitments have overloaded government's capacity to respond. In those cases NCSDs can play a special coordinating role by overseeing the fulfillment and ratification of international agreements and other codes of conduct, but that function will depend on the cooperation and support of multi-lateral institutions.

9. The members should disseminate information from the NCSD to their network and consult their peers because NCSD agreement needs to be the basis for societal agreement.

10. Essential to the monitoring and reporting function of NCSDs is the development of appropriate indicators that reflect sustainable development goals more effectively than traditional measures of

GDP.

V NCSD OPERATION - BEST PRACTICES

It is not easy for an NCSD composed of representatives of government, the private sector, NGOs and other groups in society to achieve agreement on the difficult and important issues that are at the core of sustainable development. Often it is the divisions on those very issues among the sectors represented on an NCSD that have prevented action and slowed progress toward sustainability. It is inevitable and necessary that NCSD members bring those differences to the council table. It is essential that the members find means to resolve those differences if the NCSD is to be effective. Every NCSD's experience is different, but there are a few key practices that help to build trust, and to create the basis for agreement. The best practice is for an NCSD to operate by consensus, building agreement among its members through information, accommodation and understanding. Fair process, full engagement, and a commitment to problem solving are essential.

Operating by Consensus: The development of broad agreement within a group is slower and more difficult than the resolution of issues by majority vote. But since NCSDs are neither executive nor legislative bodies, divided decisions are relatively meaningless because they simply replicate the disputes that divide society as a whole without offering resolution. The power of the NCSD is derived not from the authority to require others to act, but the opportunity to create agreements that enable and persuade others to act. NCSDs must act through other institutions, and the key to catalyzing such action is the development of consensus that crosses the boundaries of old disagreements that have obstructed action.

Consensus-building is also essential to trust. The members of NCSDs may have a history of conflict and mistrust. Decisions made by divided vote tend to strengthen those divisions, and to reduce the incentives for accommodation and understanding. The need for consensus makes the views of each member equally important, and requires members to work to understand and persuade one another.

Fair Process: Another practice that helps to establish trust is the use of a clear and agreed upon set of rules to assure the council's proceedings are fair and balanced. Members must be assured they will have the opportunity to express their views, to participate in meetings, review drafts, and have equal access to information. For those without adequate resources it is important that they have access to staff support and assistance for participation.

Transparency: Part of fairness is assuring that the NCSDs own practices are transparent, both internally, and externally. All members need to know what is being done and said in or by the NCSD, and it is important that the public have the opportunity to learn about and comment on the NCSDs activities. Some NCSDs, seeking to play an active role in educating society about sustainability, have sought broad public participation in working groups, actively promoted press coverage, held hearings and workshops in many different parts of their country, and set up web sites to provide information.

Engagement and Problem Solving: Disagreements about social, environmental and economic goals and policies to pursue them are not simple to overcome. They stem from strongly held ideas and significant sectoral interests. Resolving them requires engagement, persistence, good faith and,often, dispute resolution skills. Members need to show up for meetings, and they need to see that there is real benefit to them in overcoming disagreement. Even then, it is useful if members also have access to individuals with expertise in group facilitation and dispute resolution.

V Next Steps

1. Capacity building. If international cooperation agencies (World Bank, UNDP, UNEP, UNCSD) and other international organizations support the efforts of countries to create and/or strengthen NCSDs, then NCSDs will be better equipped to assist in and coordinate the implementation of international commitments. More international cooperation agencies, (especially those responsible for Agenda 21 monitoring and implementation), should set up a line of funding to strengthen NCSDs, especially in the following areas:

   (I) Sustainable development information dissemination, education and training of decision makers and technical staffs of relevant agencies;
   (ii) Design and implementation of operational structure, collaboration and coordination, and policy monitoring and evaluation mechanisms;
   (iii) Networking and communication between the NCSDs and other central governmental, regional and local-level agencies within the country and among NCSDs internationally and regionally;
   (iv) Strategic planning and participatory consultation workshops, public hearings and press conferences;
   (v) The establishment and support of expert panels at a national level to provide technical information to NCSDs
   (vi) Logistic support, equipment and materials; and
   (vii) Providing support to the design, implementation and recognition of real demonstrations of sustainability in action at the local level.

   NCSDs can and should play a role as key partners for multi-lateral institutions, bridges between the public and private sector.

2. Participation in international decision-making processes. NCSDs should elevate sustainable development in the global agenda, including participation in international trade organizations and other fora addressing current trends such as globalization, modernization, and international agreements relevant for sustainable development. The goal of NCSD participation in this fora is to ensure that global trade, investment and financial activities do not become ends in themselves, but become strategic means to advance local, national, regional and international sustainable development agenda. One means of ensuring this could be the inclusion of NCSD members into

national delegations.

3. Counterparting mechanisms for NCSDs through UNCSD, Earth Council and other fora. NCSDs should continue meeting at the global level and exchange information and learn from each other. Earth Council has acted as a facilitator for this purpose and it should continue to play that role. The United Nations Commission on Sustainable Development should be the main fora for NCSDs to meet, for example two days of each session of the CSD could be dedicated to this purpose. International development agencies and financing agencies should provide support for this purpose.

4. These proposals will guide the evolution of existing NCSDs, and help the countries which have not yet established such councils to start the process of establishing one by the 6th session of the United Nations Commission on Sustainable Development

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